



State of New Hampshire

Banking Department

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Peter C. Hildreth
Bank Commissioner

Robert A. Fleury
Deputy Bank Commissioner

MORTGAGE BANKER/BROKER FORM 397-A-AR **REPORT FIRST & SECOND NH MORTGAGE LOANS ON THIS SINGLE FORM** **NH ANNUAL REPORT - GENERAL INSTRUCTIONS**

1. Information provided in this form is aggregated and an analysis is published by the New Hampshire Bank Commissioner in his Annual Report to the Governor and Executive Council. The accuracy of the information is also important because it will be used by the New Hampshire Banking Department ("the department") if assessment calculations are needed.
2. All Mortgage Bankers and/or Mortgage Brokers licensed in accordance with NH RSA 397-A or 398-A during any period of time during the preceding calendar year must complete and file this report with the department on or before February 1st of the ensuing year. All annual reports for calendar year 2005 must be received by the department on or before the close of business on Wednesday, February 1, 2006. A PDF version of the form may be obtained on our website at www.nh.gov/banking/consumer.html; the form may be filled out, printed and sent to the department. Electronic filing of the information, including Excel spreadsheets of originators, will not be accepted this year. We hope to make on-line filing available for the next annual reporting period.
3. All items on the form must be completed; do not leave any blanks. Reports with blanks are incomplete and will be deemed as "not filed" for purposes of any penalty. If an item is not applicable to the business conducted by the licensee, enter "N/A", "none", "O", or "zero".
4. Work papers used to calculate and compile the information required by this form must be retained and made available when the licensee is examined by the department.
5. This report must be filed if a license was held for a portion of the reporting year and must be filed even if no loans were originated, brokered or made. The original report, signed under penalty of unsworn falsification pursuant to NH RSA 641:3, must be physically delivered to the department; we cannot accept fax transmissions of reports. Failure to file the annual report or late filing of the annual report results in a statutory penalty of \$25 per day for each day the report is overdue.
6. No fee is required to file this annual report. Round dollar amounts to the nearest whole number.
7. Definitions:
 - "NH first mortgage business" means loans that are secured in whole or in part by a mortgage upon any interest in real property located in the State of New Hampshire which is or shall be occupied in whole or in part as a place of residence by the borrower and which consists of not more than 4 living units, which property is not subject to the lien of any prior mortgage and shall include second homes.
 - "NH second or subordinated mortgage business" means loans that are secured in whole or in part by a mortgage upon any interest in real property located in the State of New Hampshire which is or shall be occupied in whole or in part as a place of residence by the borrower and which consists of not more than 4 living units, which property is subject to the lien of one or more prior mortgages, and shall include home equity loans (HELOCs) and the renewal or refinancing of an existing second mortgage loan.
 - "Mortgage lending and mortgage banking" include making or originating mortgage loans as payee on the note evidencing the loan, advancing or offering to advance or making a commitment to advance the banker's own funds for mortgage loans, closing mortgage loans with the banker's own funds, or otherwise engaging in the business of funding mortgage loans.
 - "Mortgage broker" includes acting as an intermediary, finder, or agent of a lender or borrower for the purpose of negotiating, arranging, finding, or procuring mortgage loans, or commitments for mortgage loans, or offering to serve as an agent for any person in an attempt to obtain a mortgage loan, or offering to serve as an agent for any person who has money to lend for a mortgage loan.
8. The first two columns of Schedule A require information for the total amount of first mortgage business conducted by the licensee on residential real estate (4 families or less and owner occupied) located in NH during calendar year 2005; the second two columns of Schedule A require information for second and other subordinate mortgage loan business conducted by the licensee on residential real estate (4 families or less and owner occupied including second homes) located in NH during calendar year 2005.
9. Do not double count mortgage loan transactions. Categorize each loan transaction by deciding first whether each transaction was 1) a first mortgage loan or 2) a second or subordinate mortgage loan, and then secondly by deciding whether the loan was 3) originated or brokered by the company but not funded by the company, or 4) funded by the company (closed in the company's name, regardless of who originated or brokered the loan for the company and regardless of whether the loan was subsequently sold), or 5) originated or brokered *and* funded by the company.
10. **Originators:** The licensee must submit a list of all individuals who originated NH mortgage loans of any type for the company at any time between January 1, 2005 and December 31, 2005 and make sure to answer "yes" to the question "Originated loans during 2005?" A list of those individuals the company has previously reported to the department is attached. If downloading the Annual Report Form from the website, www.nh.gov/banking/consumer.html, the company's list of originators can be obtained from the department by calling the Licensing Section at 603-271-8675. We hope that the list of originators provided from the department's records of originators, will allow the company to easily edit and update the information right on the form without having to recreate the information from the company's records. If an originator is on the list but did not originate NH loans during 2005 you may either delete the originator from the list or indicate "no" when answering the question "Originated loans during 2005?" Originator information cannot be electronically filed, on an Excel spreadsheet or otherwise, this year.

MORTGAGE BANKER, BROKER OR BANKER/BROKER**2005 NH ANNUAL REPORT FORM 397-A-AR**

Reporting Period: January 1, 2005 through December 31, 2005

1. Legal name of licensee: _____
2. Trade Name (if applicable): _____
3. Licensee's federal tax ID number: _____ 2005 NH mortgage principal office license number: _____
4. Contact person regarding this report (this must be the company's duly authorized person who affirms the accuracy, signs and files this report) Name: _____ Title: _____
5. Communications: _____
(Tel. no.) (Fax no.) (Cell) (E-mail Address)

6. SCHEDULE A: MORTGAGE BUSINESS DURING 2005 (Round dollar amounts to the nearest whole number)

Category	NH FIRST MORTGAGE LOANS		NH SECOND AND OTHER SUBORDINATE MORTGAGE LOANS	
	Number of 1st Mortgage Loans in NH	Dollar Amount of 1st Mortgage Loans in NH	Number of 2 nd and Subordinate Mortgage Loans in	Dollar Amount of 2nd and Subordinate Mortgage Loans in NH
Mortgage Loans originated or brokered but not funded by the Licensee		\$		\$
Mortgage Loans funded (but not originated or brokered) by the Licensee		\$		\$
Mortgage Loans originated, brokered and funded by the Licensee		\$		\$
Totals of (above) all NH 2005 Loans		\$		\$

7. SCHEDULE B: ENTER THE TOTAL BALANCES OF MORTGAGE LOANS OUTSTANDING (RETAINED OR SERVICED) AS OF DECEMBER 31, 2005 (Round dollar amounts to the nearest whole number)

NH FIRST MORTGAGE LOANS		NH SECOND AND OTHER SUBORDINATE MORTGAGE LOANS	
Total Number of NH 1 st Mortgage Loans outstanding	Total Dollar Amount of NH 1 st Mortgage Loans outstanding	Total Number of NH 2 nd and Subordinate Loans outstanding	Total Dollar Amount of NH 2 nd and Subordinate Loans outstanding
	\$		\$

8. Does the licensee service mortgage loans secured by NH residential property? Yes ☐ No ☐ If "Yes", enter the number of NH foreclosures for reporting period: _____

Please note that pursuant to NH RSA 397-A:10,IV, all persons licensed by the NH Banking Department must report and amend their filing(s) for any material changes (including but not limited to change in owners, officers, directors, managers including NH branch managers, address, form of organization, contact information, FYE, etc.) to the documents and records on file with the department. The report of an amendment must be filed within 30 days of the event that requires the filing of an amendment.

AFFIRMATION

The information provided in this report, including the addendum report of originators, reflects the total amount of mortgage business conducted by the licensee during 2005 from all business locations, and from any other location or method including the Internet, in making or brokering loans that are secured in whole or in part by a mortgage upon any interest in real property located in the State of New Hampshire, which is or shall be occupied in whole or in part as a place of residence by the borrower and which consists of not more than 4 living units.

I subscribe and affirm, under penalty of perjury and under penalty of Unsworn Falsification pursuant to NH RSA 641:3 that the statements made in this report have been examined by me and to the best of my knowledge and belief are true, correct and complete, and that I am duly authorized to submit this report and to execute this affirmation. I understand that any misrepresentation made to the banking department may result in denial or revocation of the license to which this form relates.

I acknowledge on behalf of the licensee that the licensee will retain work papers and other documents used in the preparation of this report and that the licensee will make such records available to the department upon request or examination.

Date: _____

For _____
(Print or type Licensee's name)By _____
(Print or type name of the authorized signatory)Signature _____
(Signed under penalty of Unsworn Falsification
Pursuant to NH RSA 641:3)

Title _____

